

FISCAL NOTE

HB 163 - SB 1542

April 4, 2003

SUMMARY OF BILL: Provides that in no event shall an action for malpractice against a lawyer be brought more than 10 years after the date on which the negligent act or omission occurred unless there is fraudulent concealment on the part of attorney. In the case of fraud, the action must be brought within one year of discovery. Currently, the malpractice case must be filed within one year of the accrual of the cause of action. Under the provisions of the bill, if the injury were not discovered within the 10 year period, unless there was fraudulent concealment on the part of the defendant, the suit would be barred.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures - Not Significant

Estimate assumes there may be a slight decrease in malpractice actions filed against lawyers.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James A. Davenport". The signature is fluid and cursive, with a large, stylized initial "J".

James A. Davenport, Executive Director